

2015 AUG 20 PM 2: 23

August 20, 2015

Robert F. Bauer  
Graham M. Wilson  
e: [RBauer@perkinscoie.com](mailto:RBauer@perkinscoie.com)  
[GWilson@perkinscoie.com](mailto:GWilson@perkinscoie.com)  
D. (202) 434-1602  
F. (202) 654-9160

**BY MESSENGER**

Federal Election Commission  
Jeff S. Jordan, Esq.  
Assistant General Counsel  
Office of Complaints Examination & Legal Administration  
999 E Street, NW  
Washington, DC 20436

**Re: MUR 6946**  
**DNC Services Corporation/ Democratic National Committee and Andrew Tobias,**  
**Treasurer**

Dear Mr. Jordan:

We write on behalf of the DNC Services Corporation/ Democratic National Committee and Andrew Tobias, in his official capacity as Treasurer (collectively, the "DNC") in response to the complaint in MUR 6946 (the "Complaint").

The Complaint alleges that the DNC violated the Federal Election Campaign Act (the "Act") by allowing a foreign national, Mr. Nara Lokesh, to contribute to the DNC by purchasing a ticket to a fundraising event held on May 7, 2015. While Mr. Lokesh attended the fundraising event, he did so as a guest of Mr. Raju Indukuri, who is a U.S. citizen, without himself making any contribution whatsoever to the DNC. Accordingly, because the Complaint presents no facts that describe any violation of any statute or regulation, *see* 11 C.F.R. § 111.4(d)(3) (2015), the Commission should find no reason to believe that the DNC committed any violation and close the matter.

On May 7, 2015 the DNC hosted a fundraising event in Portland, Oregon featuring President Barack Obama as a special guest. Mr. Raju Indukuri, a U.S. citizen,<sup>1</sup> contributed \$20,000 to the DNC through the online contribution page for the fundraiser. To process his contribution, Mr. Indukuri clicked the "donate" button on the online page, which required him to affirm that "[t]he funds I am donating are not being provided to me by another person or entity for the purpose of making this contribution" and that "I am a United States citizen or permanent resident alien." Pursuant to Commission precedent, this system provides a sufficient safeguard for the DNC to ensure, at the time of solicitation, that it will not accept an illegal contribution, including

<sup>1</sup> A copy of Mr. Indukuri's United States passport is attached as Appendix A.

Federal Election Commission  
August 20, 2015  
Page 2

contribution from a foreign national or a contribution in the name of another. *See* Advisory Opinion 2011-13.

Having made this \$20,000 contribution, Mr. Indukuri attended the event and brought Mr. Nara Lokesh as his guest. At no point did Mr. Lokesh make any contribution whatsoever to the DNC. Rather, he merely attended the fundraising event as the guest of Mr. Indukuri.

While the Act prohibits a foreign national from making a contribution to the DNC, the Commission has made clear that it does not extend to prohibit a foreign national from merely attending a fundraising event. *See* 52 USC §30121(a)(1)(B); Advisory Opinion 2004-26 (permitting a foreign national to "attend fundraising and campaign events . . . provided she does not make a contribution of her personal funds in order to attend.") Therefore, there is no reason to believe that the DNC violated any statute or regulation. The Commission should find accordingly, close the file in this matter, and take no further action.

Very truly yours,



Robert F. Bauer  
Graham M. Wilson  
Counsel to DNC Services Corporation/ Democratic National Committee and Andrew Tobias,  
Treasurer

Enclosure